

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

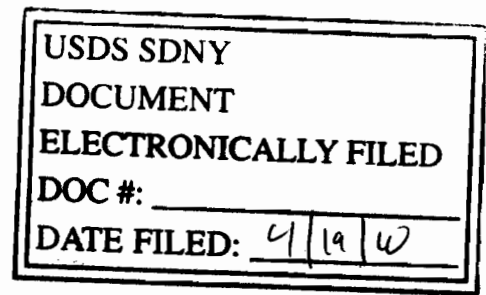
DANIEL MUGICA, on behalf of himself and
others similarly situated,

Plaintiff,

-v-

KST INC., D/B/A ENNJU JAPANESE
RESTAURANT, and YASUHIRO KATO,

Defendants.



No. 10 Civ. 0741 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The parties appeared before the Court for a status conference on April 19, 2010, so that the Court could determine the fairness of the settlement reached by the parties in this case. As stated on the record, having considered the claims at issue in this litigation and the terms of the proposed settlement, the Court is satisfied that the settlement agreement is fair and equitable in light of the costs of litigation, the uncertainty of success at trial, and the uncertain ability of Defendant to satisfy a larger judgment. Accordingly, the case is dismissed with prejudice, and the Clerk of the Court is respectfully directed to mark this case as closed.

Dated: April 19, 2010
New York, New York

A handwritten signature in black ink, appearing to be "R. J. Sullivan", written over a horizontal line.

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE